

Required Permitting/Approvals for Huntington Beach Desalination Facility
Prior to Financial Close

<u>Approval / Permit</u>	<u>Agency / Entity</u>	<u>Activity Covered</u>	<u>Permit Status</u>
<u>Permits & Environmental Review – Desalination Facility</u>			
Final SEIR Certification	City of Huntington Beach	Comprehensive environmental review	Complete
Conditional Use Permit	City of Huntington Beach	Construction of the onshore desalination facilities	Complete
Local Coastal Development Permit	City of Huntington Beach	Construction of facilities within the Coastal Zone within the City's jurisdiction	In progress – on appeal to the Coastal Commission
Coastal Development Permit (Pub. Res. Code, § 30600)	California Coastal Commission	Construction of facilities within the Coastal Zone	In progress – application resubmission pending Santa Ana Regional Water Quality Control Board action
NPDES Permit / 401 Water Quality Certification / WDR Permit / Ocean Plan Compliance (33 U.S.C. § 1341; Water Code, §§ 13142.5(b), 13260)	Santa Ana Regional Water Quality Control Board	Operational discharge into ocean consistent with Ocean Plan; consistency with Water Code section 13142.5, subd. (b). Construction dewatering Hydrotesting	Complete

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Lease Agreement / Amendment (Pub. Res. Code, § 6502)	California State Lands Commission	Project construction and operation within State tide lands	In progress – lease agreement approved in 2017, subsequent minor lease amendment pending
Grant of Easement (Pub. Res. Code, § 5012)	California Department of Parks and Recreation	Portions of the intake and discharge pipelines that cross beneath Huntington State Beach	In progress – easements to be transferred from AES to Project Company prior to financial Close
USACE Nationwide Permit 7	U.S. Army Corps of Engineers	Construction or modification of outfall structures and associated intake structures	In progress – application pending
USACE Nationwide Permit 12	U.S. Army Corps of Engineers	Construction and maintenance of utility lines in the Talbert Channel and Santa Ana River	Complete – conditionally approved pending Coastal Zone Management Act conformance determination by California Coastal Commission
Permit to Construct / Operate (SCAQMD Rules 201, 203)	South Coast Air Quality Management District	Construction and operational emissions; stationary source	Incomplete
Permit to Construct (Electrical Substation, GO No. 131-D)	California Public Utilities Commission	Construction of SCE Substation	Incomplete – application submission pending California Coastal Commission action
CEQA Review for Power Pole Relocation	California Public Utilities Commission	Relocation of power poles supporting the new electrical substation	Incomplete – to be completed through the California Coastal Commission approval process

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Public Utilities Code Section 851 Process	California Public Utilities Commission	Easements for SCE Substation and power pole relocation	Incomplete – application submission pending California Coastal Commission action
Stormwater Pollution Prevention Plan	Santa Ana Regional Water Quality Control Board	Prevent discharge of stormwater runoff from Project site	Incomplete
Grading Permit (HB Mun. Code 17.05.050)	City of Huntington Beach	Grade project site	Incomplete
Demolition Permit	City of Huntington Beach	Demolish existing structures on project site	Incomplete
Haul Permit	City of Huntington Beach	Disposal of any soils to be remediated or that are not planned to remain onsite	Incomplete
<u>Permits & Environmental Review – Mitigation Projects</u>			
State and Federal Approvals for Ongoing Ocean Inlet Maintenance at Bolsa Chica	U.S. Army Corps of Engineers / Various Other	Required to dredge and maintain the ocean inlet at the Bolsa Chica Ecological Reserve	Complete – California State Lands Commission has previously obtained and renewed the necessary permits which will remain in place
<u>Contracts</u>			
Final Water Purchase Agreement	Orange County Water District	Purchase of Project product water	Incomplete – high level terms have been outlined and agreed to

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Final Engineering, Procurement, and Construction Contract	Project Company / KSD	Establishes final cost and risk allocation of construction period	In progress – to be finalized after distribution infrastructure improvements have been finalized and Water Purchase Agreement is in substantially final form
Final Operations and Maintenance Contract	Project Company / Acciona	Establishes final cost and risk allocation of operating period	In progress – to be finalized after Water Purchase Agreement is in substantially final form
Property Agreements	City of Huntington Beach/AES	Secure onshore property for the desalination facility	In progress – terms have been outlined and agreed to
Financing Agreements	Environmental Protection Agency / California Pollution Control Finance Authority / Poseidon Water LLC / Various Other	Provision of the debt and equity financing to support the construction of the Project	Incomplete – to be finalized after the Water Purchase Agreement
<u>Other Approvals</u>			
Utility Easements	City of Huntington Beach	Sewage connections, potable water, gas, fiber optics, etc.	Incomplete
Zoning Conformance Determination	City of Huntington Beach	Confirm Project conformance with applicable zoning requirements	Complete